

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

YUKIO KUSADA,)	
Plaintiff)	
)	
vs.)	Civil Action
)	No.: Civil Action No.: 05-30043-MAP
)	
NORTHFIELD MOUNT HERMON)	
SCHOOL, FRANCIS MILLARD and)	
MICHAEL ATKINS,)	
Defendants)	
)	
v.)	
)	
TAKERU KUSADA)	
Third Party Defendant)	

AFFIDAVIT OF MARILYN BUCK, ED.D.

I, Marilyn Buck, on oath depose and say:

1. I reside at 625 East 200 South, Tipton, Indiana.
2. I have an Ed.D. in Physical Education from Brigham Young University, Provo, Utah.
3. The emphasis of my doctorate in Physical Education was curriculum and instruction.
4. Prior to receiving my doctorate I coached and taught physical education in Junior High School and High Schools in Huxley, Iowa from 1976 to 1986.
5. From 1986 to 1989 I was a graduate teaching assistant at Brigham Young University in the Physical Education program.

6. From 1989 to 1996 I was an Assistant Professor of Physical Education at Ball State University in Muncie, Indiana with a specialization in teaching methodology.
7. From 1996 to 2001 I was an Associate Professor at Ball State University in Muncie, Indiana with a specialization in teaching methodology.
8. From 1999 to 2005 I was the Coordinator of the Physical Education Teaching Major at Ball State University in Muncie, Indiana.
9. From 1999 to 2003 I was the Assistant to the Chair of the Sports and Physical Education Division of the School of Physical Education at Ball State University.
10. From 2000 to 2002 I was the Coordinator of the Sports and Physical Education Graduate Programs of at Ball State University in Muncie, Indiana.
11. From 2001 to the present I have been a Professor of Physical Education with a specialization in teaching methodology at Ball State University in Muncie, Indiana.
12. From 2003 to 2005 I was the Associate Chair of the Sports and Physical Education Division in the School of Physical Education, Sport and Exercise Science at Ball State University in Muncie, Indiana.
13. Much of my professional life has been devoted to teaching college students to become physical education teachers.

14. I have served professional organizations in multiple capacities including being a director of the International Council for Health, Physical Education, Recreation, Sport and Dance, Sports Pedagogy Commission from 1998 to 2004.
15. I am Board of Governor of the American Alliance for Health, Physical Education, Recreation and Dance.
16. I was a member of the Executive Committee of the National Association for Sport and Physical Education, Middle and Secondary School Physical Education Council from 1998 to 2001.
17. I was a member of the National Planning Committee for Standards Conference No. 1 and No. 2 from 2000 to 2001.
18. I served as President of the National Association for Kinesiology and Physical Education in Higher Education from 2003 to 2004 and as Parliamentarian of said organization from 2005 to 2006.
19. I was President of the Midwest District of the American Alliance for Health, Physical Education, Recreation and Dance from 2003 to 2004 and as a member of the Board of Directors from 2005 to the present.
20. I have been a member of the Sport and Physical Education Curriculum Committee at the School of Physical Education at Ball State University for ten years.
21. I am familiar with the customs, practices and standards, for physical education classes in secondary schools in the United States of America.

22. There is no known exception that would put the 2003-2004 Northfield Mount Hermon School physical education ski class known as Recreational Skiing outside of the customs, practices and standards for physical education classes in the United States of America.

23. Northfield Mount Hermon School's failure to instruct Yukio Kusada on proper terrain selection and its failure to implement a policy to monitor the terrain selection of its students in the physical education ski class in 2003 – 2004 was in violation of the customs, practices and or standards for physical education classes in the United States of America.

24. Northfield Mount Hermon School's policy of recommending but not requiring the use of helmets in the physical education ski class in 2003- 2004 was a violation of the customs, practices and or standards for Physical Education classes in the United States of America.

25. Northfield Mount Hermon School's policy of not requiring lessons for beginner skiers in the physical education ski class in 2003-2004 was a violation of the customs, practices and or standards for Physical Education classes in the United States of America.

26. Northfield Mount Hermon School's failure to assess the skiing ability of Yukio Kusada in the course of his participation in the physical education ski class in 2003- 2004 was a violation of the customs, practices and or standards for Physical Education classes in the United States of America.

27. Northfield Mount Hermon School's failure to provide instruction to Yukio Kusada in the selection of his ski equipment during his participation in the physical education ski class in 2003-2004 was a violation of the customs, practices and or standards for Physical Education classes in the United States of America.

28. Northfield Mount Hermon's School's failure to ascertain that the skis Yukio Kusada was using on February 20, 2004 were appropriate for his beginner level of skiing ability was a violation of the customs, practices and or standards for Physical Education classes in the United States of America.

29. Northfield Mount Hermon's School's failure to provide lessons to Yukio Kusada, who specifically requested them as a beginner skier in the 2003-2004 in physical education ski class, was a violation of the customs, practices and or standards for Physical Education classes in the United States of America.

30. The failure of Northfield Mount Hermon's School to mandate use of a buddy system for the 2003-2004 physical education ski course in which Yukio Kusada was a participant was a violation of the customs, practices and or standards for physical education classes in the United States of America.

31. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department, to mandate instruction of students in the 2003-2004 physical education ski class, on proper terrain selection for their level of skiing ability and his failure to implement monitoring of terrain selection of said students was in

violation of the customs, practices and or standards for physical education educators in the United States of America.

32. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department to mandate the use of helmets in the physical education ski class in 2003- 2004 was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

33. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department, to mandate lessons for beginner skiers in the physical education ski class in 2003-2004 was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

34. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department to mandate assessment of the skiing ability of Yukio Kusada in the course of his participation in the physical education ski class in 2003- 2004 was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

35. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department, to mandate instruction to Yukio Kusada in the selection of his ski equipment during his participation in the physical education ski class in 2003-2004 so that Kusada was taught the difference between skis intended for a beginner versus those intended for an expert and the dangers of using skis unfit for

his beginner level of ability was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

36. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department, to mandate that it be ascertained that the skis Yukio Kusada was using on February 20, 2004 were appropriate for his beginner level of skiing ability was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

37. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department to ensure that ski lessons were provided to Yukio Kusada, who specifically requested them as a beginner skier in the 2003-2004 in physical education ski class, was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

38. The failure of Francis Millard, as Chair of the Physical Education and Athletics Department, to mandate use of a buddy system for the 2003-2004 physical education ski course in which Yukio Kusada was a participant was in violation of the customs, practices and or standards for physical education educators in the United States of America.

39. The failure of Michael Atkins, as a physical education teacher and coordinator of the physical education course in which Yukio Kusada participated in 2003-2004, to coordinate the program so that Yukio Kusada received instruction on proper terrain selection, and on the dangers of improper terrain selection, for his

beginner level of skiing ability was in violation of the customs, practices and or standards for physical education educators in the United States of America.

40. The failure of Michael Atkins, as a physical education teacher and coordinator of the physical education course in which Yukio Kusada participated in 2003-2004 to coordinate the course so as to ensure that lessons were available to Yukio Kusada, was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

41. The failure of Michael Atkins, as a physical education teacher and coordinator of the ski course in which Yukio Kusada participated in 2003-2004 to coordinate the course so that assessment of Yukio Kusada's ability and progress occurred was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

42. The failure of Michael Atkins, as a physical education teacher and coordinator of the ski course in which Yukio Kusada participated in 2003-2004 to coordinate the class so that Kusada was taught the difference between skis intended for a beginner versus those intended for an expert, and the dangers of using skis unfit for his beginner level of ability, was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

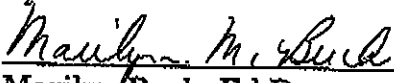
43. The failure of Michael Atkins, as a physical education teacher and coordinator of the ski course in which Yukio Kusada participated in 2003-2004 to

coordinate the program so that it was ascertained that the skis Yukio Kusada was using on February 20, 2004 were appropriate for his beginner level of skiing ability, was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.

44. The failure of Michael Atkins, as a physical education teacher and coordinator of the ski course in which Yukio Kusada participated in 2003-2004, to ascertain that ski lessons were provided to Yukio Kusada, who specifically requested them as a beginner skier, was a violation of the customs, practices and or standards for Physical Education educators in the United States of America.


45. The failure of Michael Atkins, as a physical education teacher and coordinator of the 2003-2004 physical education ski course in which Yukio Kusada was a participant to mandate and implement a buddy system for this course was in violation of the customs, practices and/or standards for physical education educators in the United States of America.

Signed under the pains and penalties of perjury this 19th of December, 2006.

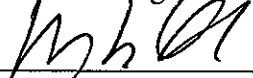

Marilyn Buck, Ed.D.

Certificate of Service

I, certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 22, 2006 via first class mail.



Heather A. Engman



Ronald E. Gluck

**VITA
MARILYN M. BUCK**

Home: 625 E 200 S, Tipton, IN 46072 (765) 675-9091

Work: AT 202, College of Applied Sciences and Technology, Ball State University,
Muncie, IN 47306 (765) 285-5955 FAX (765) 285-1071
E-mail:mbuck@bsu.edu

ACADEMIC DEGREES

B. S. in physical education with a math minor
Iowa State University, Ames, Iowa
May 1974
Graduated with distinction

M. S. in physical education with an emphasis in sport psychology and a minor in educational
psychology
University of Utah, Salt Lake City, Utah
June 1978

Ed. D. in physical education-sports with an emphasis in curriculum and instruction and a minor
in educational leadership (administration)
Brigham Young University, Provo, Utah
August 1989

PROFESSIONAL EXPERIENCE

2005 - present Associate Dean, College of Applied Sciences and Technology, Ball State
University

2003 - 2005 Associate Chair, Sport and Physical Education Division, School of Physical
Education, Sport, and Exercise Science, Ball State University

2001 - present Professor, Ball State University, Muncie, Indiana
Area of specialty: Teaching methodology.

2000 - 2002 Coordinator, Sport and Physical Education Graduate Programs

1999 - 2003 Assistant to the Chair, Sport and Physical Education Division, School of Physical
Education, Ball State University

1999 - 2005 Coordinator, Physical Education Teaching Major

1996 - 2001 Associate Professor, Ball State University, Muncie, Indiana
Area of specialty: Teaching methodology.

Other classes taught: Computer competency, swimming, measurement and evaluation, skill analysis, foundations, research design, curriculum design

- 1989 - 1996 Assistant Professor, Ball State University, Muncie, Indiana
Area of specialty: Teaching methodology.
Other classes taught: Computer competency, softball/volleyball teaching techniques, basketball officiating, swimming, measurement and evaluation, skill analysis
- 1986 - 1989 Graduate teaching assistant, Brigham Young University, Provo, Utah
Classes taught: Archery, beginning and intermediate swimming, beginning and intermediate badminton, beginning basketball, beginning volleyball, water fitness, skills and teaching techniques in basketball and softball, teaching methods, assisted with student teaching supervision, basketball and volleyball officiating
- 1974 - 1986 Health and physical education instructor, junior high girls basketball and track coach, Ballard Junior High, Ballard Community Schools, Huxley, Iowa
- 1981 - 1986 Varsity girls cross country coach, Ballard High School, Ballard Community Schools, Huxley, Iowa
- 1979 - 1986 Organizer and coach, South Story Track Club, Huxley, Iowa
Coached one age-group national champion and four other top ten finishers and many state champions
- 1976 - 1979 Assistant varsity softball coach, Ballard High School, Ballard Community Schools, Huxley, Iowa
- 1973 - 1974 Exercise physiology lab assistant, Iowa State University, Ames, Iowa
- 1972 - 1974 Clerical secretary and administrative assistant, Women's Intramurals, Iowa State University, Ames, Iowa
- 1973 Swimming instructor, Iowa State University, Ames, Iowa

SPECIAL AREA OF PROFESSIONAL INTEREST

Main emphasis: Curriculum development and instruction
Minor emphases: Computers and administration
Certifications: Permanent teaching certificate, state of Iowa
Physical education, math, and coaching endorsements
National Safety Council Adult CPR

NON-DEGREE STUDY, CONTINUING EDUCATION

- 1984 Des Moines Area Community College
BASIC Computer Programming
- 1983-1984 American Institute of Business, Des Moines, Iowa
Computer Programming
Accounting
- 1979 University of Northern Iowa
Cross Country Coaching Workshop
- 1976 Concordia University, Montreal, Canada
Health and Fitness Practices in Sweden
Track and Field Symposium, World Cup II

PROFESSIONAL ORGANIZATIONS

American Alliance for Health, Physical Education, Recreation and Dance - Life Member
Midwest District of the American Alliance for Health, Physical Education, Recreation and Dance
Indiana Association for Health, Physical Education, Recreation and Dance - Life Member
National Association for Kinesiology and Physical Education in Higher Education
Phi Kappa Phi
Phi Delta Kappa
International Council for Health, Physical Education, Recreation, Sport, and Dance

OFFICES HELD IN PROFESSIONAL ORGANIZATIONS

International Council for Health, Physical Education, Recreation, Sport, and Dance
Member -- Sport Pedagogy Commission, 2004 - present
Director -- Sport Pedagogy Commission, 1998 - 2004

American Alliance for Health, Physical Education, Recreation and Dance
Member of the Local Planning Committee -- 2005 American Alliance for Health, Physical Education, Recreation, and Dance National Convention, Chicago
Nominations Committee Member for President-Elect, 2004-2006
Member of the Board of Governors, 2002-2003, 2005-present

National Association for Sport and Physical Education
Middle and Secondary School Physical Education Council Executive Committee, 1998-2001
Member, National Planning Committee for Standards #1 & 2 Conference, 2000-2001
Member, National Planning Committee for Sport and Physical Education Technology Conference, 1999

Chair, National Planning Committee for Sport and Physical Education Technology Conference, 1997
Technology Task Force, 1995-1996

National Association for Kinesiology and Physical Education in Higher Education

Parliamentarian - 2005-2006
Past President - 2004-2005
President - 2003-2004
President-Elect - 2002-2003
Elections Committee, Chair - 2000-2001
Vice President - 1999-2000
Vice President-Elect - 1998-1999
Future Directions Committee - 1998
Membership Committee, Chair and Co-chair - 1994-1995
Membership Committee - 1992-1995
Member, Presidential Advisory Committee - 1993
Associate Editor, Scholarly Publications, *Chronicle of Physical Education in Higher Education* - 1996-1999
Technology Task Force - 1996
Developed Electronic Physical Education in Higher Education Directory

Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance

Board of Governors Representative - 2005-present
Past President - 2004-2005
President - 2003-2004
President-elect - 2002-2003
Secretary - 1999-2002
Executive Secretary Evaluation Committee - 1999-present
Constitution and Bylaws Committee - 2004-2005
Leadership Committee - 1999, 2000
Executive Secretary Search Committee - 1998-1999
Restructure Committee - 1998-2000
Past Vice President, Physical Education - 1998-1999
Vice President, Physical Education - 1997-1998
Vice President-Elect, Physical Education - 1996-1997
Chair, Professional Preparation - 1995-1996
Chair-Elect, Professional Preparation - 1994-1995

Indiana Association for Health, Physical Education, Recreation, and Dance

Technology Council, 1997-2001
Home Page Committee Chair, 1997

SERVICE TO BALL STATE UNIVERSITY

University-Level Service Summarized

Member, Vice President for Marketing, Communications, and Enrollment Management - 1 year
Member, President Search Committee - 1 year
Member, Provost and Vice President for Academic Affairs Search Committee - 2 years
Member, Vice President for Information Technology and Executive Assistant to the President Search Committee - 1 year
Member, Assistant Dean of Students Search Committee - 1 year
Member, Strategic Plan Implementation and Assessment Committee - 3 years
Undergraduate Core Curriculum Task Force I - 2 years
Undergraduate Core Curriculum Task Force II - 1 year
Phi Kappa Phi - Vice President - 1 year
Membership Committee - Phi Kappa Phi - 1 year
Selection Committee for Emens Outstanding Senior - 3 years
Selection Committee for Junior Scholarship Award - 3 years
Participant, Cardinal Roundtable - 3 years
Member, Administrative Group - 3 years
Member, Governance Task Force, NCA Self-study - 2 years
Member, NCAA Self-study Steering Committee - 2 years
Member, Governance and Commitment to Rules Compliance Sub-committee, NCAA Self-study - 2 years
Member, University Senate - 11 years
Chair, University Senate - 3 years
Vice Chair, University Senate - 2 years
Chair, University Governance Committee - 2 years
Member, University Governance Committee - 4 years
Member, American Council for Education/Kellogg Leadership Team - 5 years
Member, Teacher Education Committee - 6 years
Chair, Teacher Education Committee - 2 years
Member, University Senate Agenda Committee - 6 years
Member, Retention Grant Review Committee - 1 year
Represented University on Indiana Commission for Higher Education State Nominating Committee to select next faculty member - 3 years (chair)
Represented University at the Faculty Leadership Conference hosted by Indiana Commission for Higher Education - 2 years
Member, Student Teaching Evaluation Forms Committee - 3 years
Member, Past Senate Chairs Group - 1 year
Member, Budget Focus Groups - 1 year
Member, Senate Ad Hoc Advisory Committee on Enrollment and Resources - 1 year
Participant, PEW Roundtable Discussions - 2 years
Member, Professional Affairs Council - 6 years
Secretary, Professional Affairs Council - 1 year
Vice-Chair, Professional Affairs Council - 1 year

Chair, Professional Affairs Council - 1 year
Member, Salary and Benefits Committee - 3 years
Chair, Salary and Benefits Committee - 1 year
Member, Undergraduate Education Council - 3 years
Secretary, Undergraduate Education Council - 1 year
Member, Provost's Blue Ribbon Commission on ways Ball State University Can Improve K-12 Education in Indiana - 3 years

College Service Summarized

College Representative to TEPASC - 2 years
College Representative on Web Advisory Committee - 1 year
Alternate for College Appeal Panel - 1 year
College PEW Roundtable Planning Committee - 1 year

School of Physical Education Service Summarized

Search Committees for various positions - 16 years
Mentor - 5 different faculty
Majors Admission and Retention Committee (MARC) - 13 years
Sport and Physical Education Curriculum Committee - 10 years
Computer Competency Committee - 10 years
International Committee - 7 years (2 years as chair)
Promotion and Tenure Committee - 5 years (secretary - 1 year)
Director of Physical Education Teacher Education Lab - 11 years
Coordinate Multimedia Cart Use - 7 years
Coordinate Advising - 5 years
Departmental Honors Coordinator - 4 years
Web Publisher - 6 years
Korsgaard Outstanding Graduate Student Selection Committee - 4 years
Salary Committee - 1 year
Expenditure Reduction Committee - 1 year
Physical Education Program Board - 3 years
Task Force for School Restructuring - 1 year
Graduate Council - 2 years
Awards Committee - 3 years (chair - 2 years, secretary - 1 year)
Name Change Committee - 1 year

HONORS AND AWARDS

Meritorious Service Award, Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance, 2004
Service Award, National Association for Physical Education in Higher Education, 2001
Research highlighted in Ball State University publication, *BeneFacta*, 2000

Leadership Recognition Award, Indiana Association for Health, Physical Education, Recreation and Dance, 1998
 Outstanding Tenure-line Teacher, School of Physical Education, Ball State University, 1993-1994
 Listed in Who's Who in American Education, 1992

PUBLICATIONS

- Buck, M. M. (In Press). Technology chapter. In N. Schmottlach & J. McManama, *Physical Education Activity Handbook*, (11th ed.). San Francisco, CA: Benjamin Cummings.
- Buck, M. M., & Lund, J. (In Press). *Instructional strategies for secondary school physical education* (6th ed.). Dubuque, IA: McGraw-Hill.
- Woodard, R., Lund, J., Wayda, V., & Buck, M. (2004). Daily physical education, physical fitness, and middle school students. *Journal of the International Council for Health, Physical Education, Recreation, Sport & Dance*, 40(4), 20-23.
- Buck, M. M., Floyd, P., & Jable, T. (2004). *Foundation of physical education*. Atlanta, GA: Wadsworth.
- Lund, J., Woodard, R., Wayda, V., & Buck, M. (2003). An examination of content knowledge used by inservice physical education teachers in Indiana. *Indiana Journal for Health, Physical Education, Recreation, and Dance*, 32(1), 10-17.
- Lund, J., Woodard, R., Wayda, V., & Buck, M. (2002). Survey of Indiana physical educator's content knowledge. *Indiana Journal for Health, Physical Education, Recreation and Dance*, 31(3), 23-28.
- Buck, M. M. (2002). Video aids improvement of physical skills. *Curriculum Technology Quarterly*, 11(3), 4.
- Buck, M. M. (2002). *Heart rate assessment*. NASPE Assessment Series Monograph. Reston, VA: NASPE.
- Buck, M. M. (2002). Softball. In N. Schmottlach & J. McManama, Ed., *Physical education activity handbook*. San Francisco: Benjamin Cummings. (pp. 295-309).
- Buck, M. M. (2002). Technology and physical education programs of the future. In N. Schmottlach & J. McManama, Ed., *Physical education activity handbook*. San Francisco: Benjamin Cummings. (pp. 17-23).
- Harrison, J. M., Blakemore, C. L., & Buck, M. M. (2001). *Instructional strategies for secondary school physical education* (5th ed.). Dubuque, IA: McGraw-Hill.

- Buck, M. (2000). A physical fitness requirement: Results of implementation. In *Research on Teaching and Research on Teacher Education*, Proceedings of the AIESEP International Seminar, Lisbon, Portugal, November 21-24, 1996, Carriero da Costa, F., Diniz, J. A., Carvalho, L. M., & Onofre, M. S., Eds.
- Buck, M. (2000). Departments respond to teacher education reform effort. *Institution Transformation: A Report on the ACE Project on Leadership and Institutional Transformation*, p. 11.
- Buck, M. (1999). Teaching methods: meeting the needs of students throughout the world - summary of sport pedagogy symposium. *International Council for Health, Physical Education, Recreation, Sport, and Dance Journal*, 36(1), 28.
- Buck, M. M. (1999). Technology: A tool to enhance achievement of physical education objectives. *Indiana Journal for Health, Physical Education, Recreation and Dance*, 28(1), 17-18.
- Buck, M. M. (1996). Interdisciplinary approach to teaching: K-12 physical education. *Journal of Interdisciplinary Research in Physical Education*, 1(1), 7-14.
- Harrison, J. M., Blakemore, C. L., Buck, M. M., & Pellett, T. L. (1996). *Instructional strategies for secondary school physical education* (4th ed.). Dubuque, IA: Brown & Benchmark.
- Harrison, J. M., Blakemore, C. L., Buck, M. M., & Pellett, T. L. (1996). *Instructor's manual for Instructional strategies for secondary school physical education* (4th ed.). Dubuque, IA: Brown & Benchmark.
- Harrison, J. M., Fellingham, G. W., & Buck, M. M. (1995). Self-efficacy, attribution, and volleyball achievement. *International Journal of Physical Education*, 32(4), 4-10.
- Kirkpatrick, B., & Buck, M. M. (1995). Heart adventures challenge course: A lifestyle education activity. *The Journal of Physical Education, Recreation & Dance*, 66(2), 17-24.
- Kirkpatrick, B., & Buck, M. M. (1995). Ultra physical education -- Looking to the future. *Journal of the International Council for Health, Physical Education, Recreation, Sport, and Dance*, 31(2), 33-37.
- Buck, M. M., & Kirkpatrick, B. (1995). Funding sources for new wellness programs: Finding your way through the maze. *Strategies*, 8(5), 5-9.

- Harrison, J. M., Fellingham, G. W., Buck, M. M., & Pellett, T. L. (1995). The effects of practice and command styles of instruction on rate of change in volleyball performance and self-efficacy of high-, medium-, and low-skilled learners. *Journal of Teaching in Physical Education, 14*, 328-339.
- Harrison, J. M., Buck, M., & Pellett, T. (1995, April/May). Volleyball instruction: Results of using game and equipment modifications. *Coaching Volleyball*, 12-15.
- Buck, M. M., & Assmann, N. (1995). Computer training received and needed by Indiana public school physical education teachers. *Indiana Journal for Health, Physical Education, Recreation and Dance, 24*(1), 34-37.
- Buck, M. M., & Assmann, N. (1994). Computer usage by Indiana public school physical education teachers: Part II. *Indiana Journal for Health, Physical Education, Recreation and Dance, 23*(3), 9-12.
- Buck, M. M., & Assmann, N. (1994). Computer usage by Indiana public school physical education teachers. *Indiana Journal for Health, Physical Education, Recreation and Dance, 23*(2), 14-16.
- Buck, M. M. (1994). NAPEHE survey results: Part II. *The Chronicle of Physical Education in Higher Education, 5*(3), 6, 12-13.
- Buck, M. M. (1994). NAPEHE survey results: Part I. *The Chronicle of Physical Education in Higher Education, 5*(2), 5, 13.
- Masters, K. S., Lindsay, G. B., Buck, M. M., & Dobbs, G. M. (1993). Physical fitness of seventh graders: A descriptive analysis with implications for physical education teachers and administrators. *Indiana Journal for Health, Physical Education, Recreation and Dance, 22*(3), 33-36.
- Buck, M. M. (1992). Softball. In D. C. Seaton, N. Schmottlach, J. L. McManama, I. A. Clayton, H. C. Leibe, & L. L. Messersmith, *Physical Education Handbook*, Englewood Cliffs, NJ: Prentice-Hall (pp. 279-293).
- Harrison, J. M., & Buck, M. M. (1992). Instructor's manual for *Instructional Strategies for Secondary School Physical Education* (3rd. ed.). Wm. C. Brown Publishers.
- Buck, M., Harrison, J. M., & Bryce, G. R. (1991). An analysis of learning trials and their relationship to achievement in volleyball. *Journal of Teaching in Physical Education, 10*, 134-152.
- Buck, M., & Harrison, J. M. (1990). An analysis of game play in volleyball. *Journal of Teaching in Physical Education, 10*, 38-48.

- Buck, M., & Harrison, J. M. (1990). Improving student achievement in physical education. *Journal of Physical Education, Recreation & Dance*, 62(7), 40-44.
- Buck, M., Harrison, J. M., Fronske, H., & Bayles, G. (1990). Teaching biomechanics concepts to junior high physical education classes. *Journal of Physical Education, Recreation and Dance*, 61(6), 91-95.
- Buck, M., Harrison, J. M., Fronske, H., & Bayles, G. (1990). Quad ball. *Journal of Physical Education, Recreation and Dance*, 61(2), 7.

ABSTRACTS

- Wayda, V., Lund, J. L., Buck, M., & Woodard, R. (2004). Employability skills: What are we teaching our students. *Research Quarterly for Exercise and Sport*, 75, A-84.
- Lund, J. L., Woodard, R., Wayda, V., & Buck, M. M. (2003). Survey of Indiana physical educator's content knowledge. *Research Quarterly for Exercise and Sport*, 74, A-48.
- Griffin, L. L., Hall, S. J., Meaney, K. S., Dunn, J. M., Buck, M., LaMaster, K. J., Chen, A., & Cruz, L. M. (2003). Life as an academic in the 21st century—Part I: Establishing strong mentoring and Part II: Navigating the tenure and promotion process. *Research Quarterly for Exercise and Sport*, 74, A-93, A-94.
- Buck, M. M. (2002). Use of technology in physical education. *2002 China-US Conference on Physical Education Program and Abstracts*, 10. Beijing, China.
- Buck, M. M., & Lund, J. (2002). Performance based assessment of pedagogical skills. *2002 China-US Conference on Physical Education Program and Abstracts*, 10. Beijing, China.
- Buck, M. M. (1997). The skill-fit model for improving fitness and skills simultaneously, 37. AIESEP World Conference on Teaching, Coaching and Fitness Needs in Physical Education and the Sport Sciences, Singapore.
- Buck, M. M. (1997). Incorporating interdisciplinary units into physical education classes, 111. AIESEP World Conference on Teaching, Coaching and Fitness Needs in Physical Education and the Sport Sciences, Singapore.
- Buck, M. M. (1996). Review of research using heart rate monitors: Implications for effective teaching. *Book of Abstracts: Research on Teaching and Research on Teacher Education*, 15. AIESEP International Seminar, Lisbon, Portugal.

- Buck, M. M. (1996). A physical fitness requirement: Results of implementation. *Book of Abstracts: Research on Teaching and Research on Teacher Education*, 16. AIESEP International Seminar, Lisbon, Portugal.
- Buck, M. M. (1996). Symposium: Heart rate monitor research. *Research Quarterly for Exercise and Sport*, 67(Supplement), A-36.
- Burton, C. J., & Buck, M. M. (1996). The heart rates of elementary children during physical education. *Research Quarterly for Exercise and Sport*, 67(Supplement), A-37.
- McManama, J., Buck, M. M., Burton, C. J., & O'Connor, C. (1996). Improving cardiovascular fitness in a college beginning volleyball class. *Research Quarterly for Exercise and Sport*, 67(Supplement), A-37-38.
- Kirkpatrick, B., & Buck, M. M. (1996). Comparing changes in cardiovascular measures of middle school students. *Research Quarterly for Exercise and Sport*, 67(Supplement), A-38.
- Buck, M. M., & McManama, J. (1995). Improving skill and fitness concurrently: Can it be done? *Abstracts of the '95 World Congress of the International Council for Health, Physical Education, Recreation, Sport, and Dance*. Gainesville, FL.
- Harrison, J., & Buck, M. (1991). Relationship of learning trials and learner characteristics to volleyball achievement using USVBA-recommended game modifications. *Abstracts of the 1991 World Congress of the International Association of Physical Education Schools in Higher Education*. Atlanta, GA.
- Buck, M., & Harrison, J. M. (1990). A new research technique for analyzing learning. *Abstracts of Research Papers, 56th Annual Convention of the Southwest District of the American Alliance for Health, Physical Education, Recreation, and Dance*. Albuquerque, NM.
- Buck, M. (1990). An analysis of learning trials and their relationship to achievement in volleyball. *Abstracts of Research Papers, 56th Annual Convention of the Southwest District of the American Alliance for Health, Physical Education, Recreation, and Dance*. Albuquerque, NM.
- Buck, M. (1990). An analysis of learning curves in volleyball. *Abstracts of Research Papers, 56th Annual Convention of the Southwest District of the American Alliance for Health, Physical Education, Recreation, and Dance*. Albuquerque, NM.
- Buck, M., & Harrison, J. M. (1989). An analysis of learning trials and their relationship to achievement in volleyball. *The R. Tait McKenzie Symposium on Sport*. Knoxville, TN.

CREATIVE ENDEAVORS

Buck, M., & McManama, J. (2000). Space Shuttle Adventure. Curriculum materials and videotape marketed and sold by US Games.

Buck, M., & McManama, J. (1997). Time travel adventure activity. Curriculum materials and videotape being marketed and sold by US Games.

PUBLISHED COMMUNICATIONS

Buck, M. (2003-2004). President's Messages in *The Chronicle of Higher Education in Physical Education*

Buck, M. (2003). Wrote greetings for the Michigan AHPERD Convention, Illinois AHPERD Convention, Wisconsin AHPERD Convention, and NAPEHE Convention which were included in the convention programs.

Buck, M. (September, 1998). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 9(3), 2,19.

Buck, M. (May, 1998). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 9(2), 2.

Buck, M. (February, 1998). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 9(1), 2.

Buck, M. (September, 1997). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 8(3), 2,19.

Buck, M. (May, 1997). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 8(2), 2, 19.

Buck, M. (February, 1997). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 8(1), 2, 19.

Buck, M. (September, 1996). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 7(3), 2,19.

Buck, M. (May, 1996). Scholarly publications. *The Chronicle of Physical Education in Higher Education*, 7(2), 2.

PROFESSIONAL PAPERS AND PRESENTATIONS

- Wayda, V., Lund, J., Buck, M., & Woodard, R. (2005). Physical Education Student and Teacher Perceptions of Dispositions
AAHPERD National Convention, Chicago, IL
- Wayda, V., & Buck M. (2005). Learning More by Doing: A Teaching Strategy that Eliminates the "But"
NAKPEHE Conference, Tucson, AZ
- Buck, M. (2004, December). National Physical Education Standards: What Are They? Why Do We Need Them?
Michigan Association for Health, Physical Education, Recreation and Dance Convention, Columbus, OH.
- Buck, M., Crouch, S., & Hicks, L. (2004, November). A Comprehensive Education for Every Child: Physical Education and Health Education Are Core
IAHPERD Convention, Indianapolis, IN.
- Buck, M. M. (2004, September). No Child Left Behind
Midwest District AAHPERD Leadership Conference, Angola, IN.
- Davis, R., & Buck, M. (2004, September) Special Education and Adapted Physical Education in the United States
Intensive Program, University College Worcester, Worcester, UK
- Wayda, V., Lund, J.L., Buck, M. & Woodard, R. (2004, April) Employability skills: What are we teaching our students?
AAPHERD, New Orleans, LA.
- Lund, J.L., Wayda, V., & Buck, M. (2004, January). Teacher Preparation for Physical Activity: The Past, the Present, the Future
NAPEHE, Clearwater Beach, FL.
- Buck, M. (2003, November). Eliminating the barriers to physical activity.
Michigan Association for Health, Physical Education, Recreation and Dance Convention, Traverse City, MI.
- Buck, M., Hicks, L., Duchane, K., Cothran, D., & Hare, M. (2003, November). Meeting both physical education standards and health standards.
IAHPERD Convention, Indianapolis, IN.

- Buck, M. M. & Lund, J. (2003, October) Meeting standards through performance-based assessment: The Ball State model
Physical Education Teacher Education Conference, Baton Rouge, LA.
Prepared and submitted proposal and assisted in the development of the poster but was unable to attend due to the dates conflicting with the Midwest District Leadership Conference
- Griffin, L. L., Hall, S. J., Meaney, K. S., Dunn, J. M., Buck, M., LaMaster, K. J., Chen, A., & Cruz, L. M. (2003, April). Life as an academic in the 21st century–Part 1: Establishing strong mentoring and Part II: Navigating the tenure and promotion process.
AAHPERD, Philadelphia, PA.
- Lund, J.L., Woodard, R., Wayda, V., & Buck, M. (2003, April) Survey of Indiana Physical Educator's Content Knowledge.
AAPHERD, Philadelphia, PA.
- Lund, J.L., Wayda, V., & Buck, M. (2003, January). Employability Skills: Setting the Stage for Student Success after Graduation.
NAPEHE, Long Beach, CA
- Buck, M. M. (2002, July). Use of technology in physical education. 2002 China-US Conference on Physical Education, Beijing, China.
- Buck, M. M. (2002, April) Seeking national board certification in physical education: Support system.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, San Diego, CA
- Woodard, R., Lund, J. L., Wayda, V., & Buck, M. (2002, April). Daily physical education, physical fitness, and middle school students.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, San Diego, CA
- Lund, J. L., Wayda, V., & Buck, M. (2002, April). Evaluating preservice teachers' attitudes and dispositions: Mentioning the "Unmentionables".
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, San Diego, CA
- Buck, M. (2002, February). United States perspective on the structure of sport.
International Week, University College Worcester, Worcester, UK
- Lund, J., & Buck, M. (2002, January). Assessment project report.
Professional Preparation Conference, Mitchell, IN.

- Buck, M. (2002, January). Standards usage.
Professional Preparation Conference, Mitchell, IN.
- Lund, J., Buck, M., & Wayda, V. (2002, January). Using accountability effectively in teacher education.
National Association for Physical Education in Higher Education Conference, San Antonio, TX.
- Buck, M. (2001, November). Liability in coaching.
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Indianapolis, IN
- Buck, M. (2001, July). National boards: How universities can help. Catch the Thrill of the Skill,
NASPE National Standards Conference, Kansas City, MO
- Buck, M. (2000, November). Uses of technology in physical education
IVth International Sports Sciences Congress, Hacettepe University, Ankara, Turkey
- Buck M. (2000, November). New research techniques for analyzing learning
IVth International Sports Sciences Congress, Hacettepe University, Ankara, Turkey
- Buck, M. (2000, July). Training PETE students to use heart rate monitors: The Ball State University model
Linking Physical Activity and Fitness, National Association for Sport and Physical Education Standards #3 & 4 Conference, Baltimore, MD
- Buck, M. (2000, July). Required fitness tests for preservice teachers: Preparation for modeling Standard 3
Linking Physical Activity and Fitness, National Association for Sport and Physical Education Standards #3 & 4 Conference, Baltimore, MD
- Buck, M. (1999, November). Liability issues in physical education: Implications of court decisions on teaching
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Ft. Wayne, IN
- Buck, M., McManama, J., Barker, T., & Northcroft, S. (1999, November). Space Shuttle Adventure: K-12
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Ft. Wayne, IN
- Buck, M. M. (1999, October). Training preservice and inservice teachers in the use of technology in physical education
NASPE National Teacher Education Conference in Physical Education: Exemplary Practice in Teacher Education, Bloomington, IL

- Buck, M. M. (1999, July). Achieving individual fitness goals: Using heart rate monitors
International Council for Health, Physical Education, Recreation, Sport, and Dance
World Congress, Cairo, Egypt
- Buck, M. M. (1999, April). Healthy alternatives for enhancing physical education and health with
technology
Legacy 21 Professional Development Series - TV Program
Broadcast from Ball State but had national audience
- Buck, M. (1998, November). Legal liability issues in physical education.
Indiana Association for Health, Physical Education, Recreation and Dance Conference,
Indianapolis, IN
- Buck, M., & McManama, J. (1998, November). Fitness standards for physical education majors:
issues and answers
Indiana Association for Health, Physical Education, Recreation and Dance Conference,
Indianapolis, IN
- Buck, M. (1998, November). Technology - What's happening in Indiana.
Indiana Association for Health, Physical Education, Recreation and Dance Conference,
Indianapolis, IN
- Buck, M. (1998, November). PowerPoint basics.
Indiana Association for Health, Physical Education, Recreation and Dance Conference,
Indianapolis, IN
- Buck, M. M. (1998). Uses of technology in physical education.
HyperMedia 98, Muncie, IN
- Wilson, T., Buck, M., & Wayda, V. (1998, April). Interscholastic coaching certification.
American Alliance for Health, Physical Education, Recreation and Dance National
Conference, Reno, NV
- Buck, M. M. (1998, April). Technology in high school physical education.
Legacy 21 Professional Development Series - TV Program
Broadcast from Ball State but had national audience
- Buck, M. M. (1998, February). Technology in middle school physical education.
Legacy 21 Professional Development Series - TV Program
Broadcast from Ball State but had national audience

- Buck, M. M. (1997, December). The skill-fit model for improving fitness and skills simultaneously.
AIESEP World Conference on Teaching, Coaching and Fitness Needs in Physical Education and the Sport Sciences, Singapore.
- Buck, M. M. (1997, December) Incorporating interdisciplinary units into physical education classes.
AIESEP World Conference on Teaching, Coaching and Fitness Needs in Physical Education and the Sport Sciences, Singapore
- Buck, M. (1997, November). Computer programs to enhance physical education.
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Indianapolis, IN
- Buck, M. (1997, November). Creating a homepage.
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Indianapolis, IN
- Buck, M. (1997, November). Using video cameras to increase skill learning in physical education.
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Indianapolis, IN
- Buck, M. (1997, November). Using presentation software.
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Indianapolis, IN
- Ignico, A., & Buck, M. (1997, November). Tap into new sources of funding for your program.
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Indianapolis, IN
- Buck, M. (1997, October). Integrating technology into physical education teaching.
HyperMedia 97: Integrating Technologies into Teaching & Learning Conference, Muncie, IN
- Buck, M., & Thomson, W. (1997, March). Practical applications of technology in teaching physical education.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, St. Louis, MO
- Strand, B., Reeder, S., Pratt, B., Levine, J., Greenburg, J., & Buck, M. M. (1997, March). Using Polar heart rate monitors as a grading and motivating tool.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, St. Louis, MO

- Buck, M. (1997, February). Introducing pre-service teachers to physical education national content standards.
Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance Conference, Milwaukee, WI
- Buck, M., Thomson, W. C., McManama, J., & Ignico, A. (1997, February). Enhancing fitness and skill using heart rate monitors.
Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance Conference, Milwaukee, WI
- Buck, M., Thomson, W. C., McManama, J., & Ignico, A. (1997, February). Infusing fitness into skill development units.
Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance Conference, Milwaukee, WI
- Buck, M. (1996, November). Review of research using heart rate monitors: Implications for effective teaching.
Research on Teaching and Research on Teacher Education,
AIESEP International Seminar, Lisbon, Portugal.
- Buck, M. M. (1996, November). A physical fitness requirement: Results of implementation.
Research on Teaching and Research on Teacher Education,
AIESEP International Seminar, Lisbon, Portugal
- Buck, M. (1996, October). Technology moving physical education into the 21st century.
Indiana Association for Health, Physical Education, Recreation and Dance Conference, Evansville, IN.
- Sparks, W., Buck, M., Blakemore, C., & Pellett, T. (1996, April). Preparing teachers in a changing world: An overview of quality programs in physical education teacher education.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, Atlanta, GA.
- Burton, C. J., & Buck, M. M. (1996, April). The heart rates of elementary children during physical education.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, Atlanta, GA.
- McManama, J., Buck, M. M., Burton, C. J., & O'Connor, C. (1996, April). Improving cardiovascular fitness in a college beginning volleyball class.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, Atlanta, GA.

- Kirkpatrick, B., & Buck, M. M. (1996, April). Comparing changes in cardiovascular measures of middle school students.
American Alliance for Health, Physical Education, Recreation, and Dance National Convention, Atlanta, GA.
- Assmann, N., & Buck, M. (1996, January). Technology: Training teachers for the future.
Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance Conference, Dearborn, MI.
- Buck, M. (1996, January). Safe practices in physical education: Legal liability issues.
Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance Conference, Dearborn, MI.
- Buck, M., McManama, J., & Ignico, A. (1995, October). Using heart rate monitors in physical education.
National Conference on Teacher Education in Physical Education (Sponsored by the National Association for Sport and Physical Education), Morgantown, WV.
- Buck, M. M., & McManama, J. (1995, July). Improving skill and fitness concurrently: Can it be done?
'95 World Congress of the International Council for Health, Physical Education, Recreation, Sport, and Dance, Gainesville, FL.
- Buck, M. M. with Barb Ettl, Cathie Burton, & Caryn O'Connor. (1995, April - May). Technology workshops for Indiana physical education teachers. Conducted 6 workshops throughout the state of Indiana under the sponsorship of the Indiana Department of Education, Ball State University, and the Indiana Association for Health, Physical Education, Recreation, and Dance.
- Ignico, A., & Buck, M. (1995, March). A practical strategy for enhancing sport skill assessment.
American Alliance for Health, Physical Education, Recreation, and Dance, Portland, OR.
- Buck, M., & Sparks, W. (1995, February). Physical education teacher education curriculum round table: Concerns and possible solutions.
Midwest District of the American Alliance for Health, Physical Education, Recreation, and Dance, Arlington Heights, IL.
- Buck, M., & McManama, J. (1995, January). Tech training for the future I: From college to public schools.
Expanding Horizons: Technology in Physical Education Conference, San Antonio, TX.
- Burgess, S., Ignico, A., & Buck, M. (1995, January). Tech training for the future III: Computer applications for physical education classes.
Expanding Horizons: Technology in Physical Education Conference, San Antonio, TX.

- Ignico, A., & Buck, M. (1994, November). Integrating heart rate technology into the undergraduate teacher preparation program.
Indiana Association for Health, Physical Education, Recreation & Dance State Convention, Merrillville, IN.
- Buck, M., Kirkpatrick, B., & Burton, C. (1994, April). A computerized fitness system.
American Alliance for Health, Physical Education, Recreation, and Dance, Denver, CO.
- Buck, M., & Pellett, T. L. (1994, February). Knowledge of teacher effectiveness and content development: Implications for teacher education.
Midwest District Conference of the American Alliance for Health, Physical Education, Recreation and Dance, Morgantown, WV.
- Buck, M. M. (1993, November). The heart adventure and tropical rain forest challenge courses.
Vigo County School Corporation, Terre Haute, IN.
- Buck, M. M. (1993, November). Using heart rate monitors.
Vigo County School Corporation, Terre Haute, IN.
- Assmann, N., & Buck, M. (1993, October). Beginning computer workshop for physical educators.
Indiana Association for Health, Physical Education, Recreation & Dance State Convention, Indianapolis, IN.
- Buck, M., & Assmann, N. (1993, October). Results of a survey of computer usage by Indiana physical education teachers.
Indiana Association for Health, Physical Education, Recreation & Dance State Convention, Indianapolis, IN.
- Harrison, J. M., Pellett, T., & Buck, M. M. (1993, March). The effect of drill, game and equipment modifications on achievement by low-skilled learners.
American Alliance for Health, Physical Education, Recreation, and Dance, Washington, DC.
- Buck, M. M. (1993, February). A step by step approach to evaluating teaching with a goal of improving teacher effectiveness.
Midwest District Conference of the American Alliance for Health, Physical Education, Recreation and Dance, Toledo, OH
- Buck, M. M., & Feingold, R. (1993, January). Is NAPEHE working toward the future or the past? A view of one member.
National Association for Physical Education in Higher Education National Conference, Fort Lauderdale, FL

- Buck, M. M. (1992, October). Improving teacher effectiveness in middle and high school physical education.
Indiana Association for Health, Physical Education, Recreation & Dance State Convention, Fort Wayne, IN
- Buck, M. M. (1992, August). Classroom management.
S.H.A.P.E. Workshop, Elkhart, IN
- Buck, M. (1992, May). Physical Best changes.
Presentation for county physical education teachers, Wes-Del High School, Gaston, IN.
- Harrison, J., & Buck, M. (1992, April). Relationships of self-efficacy, causal dimension, and sport orientation to volleyball achievement.
American Alliance for Health, Physical Education, Recreation and Dance, Indianapolis, IN.
- Harrison, J., & Buck, M. (1992, February). An analysis of practice and command styles of instruction on the volleyball achievement and self-efficacy of high-, medium-, and low-skilled learners.
Southwest District of the American Alliance for Health, Physical Education, Recreation and Dance, Phoenix, AZ.
- Harrison, J., & Buck, M. (1992, January). Game play changes in volleyball resulting from instruction using game and equipment modifications: A follow-up study.
National Association of Physical Education in Higher Education. Scottsdale, AZ.
- Buck, M. (1991, June). Physical Best workshop for Delaware County, Indiana, physical education teachers. Muncie, IN.
- Buck, M. (1991, March). 7th grade assessment results. School Health Task Force Presentation/Press Conference, Muncie, IN.
- Harrison, J., & Buck, M. (1991, January). Relationship of learning trials and learner characteristics to volleyball achievement using USVBA-recommended game modifications. World Congress of the International Association of Physical Education Schools in Higher Education. Atlanta, GA.
- Buck, M. (1990, November). School Health Task Force: Physical Best program. Live Healthy, Delaware County Workshop VII, Muncie, IN.
- Buck, M. (1990, March). Preserving the future of physical education through increasing student achievement.
Chadron State College. Chadron, NB.

- Buck, M., & Harrison, J. M. (1990, February). Improving student achievement in physical education.
American Alliance for Health, Physical Education, Recreation and Dance, Southwest District, Albuquerque, NM.
- Buck, M., & Harrison, J. M. (1990, February). New Research Techniques for Analyzing Learning: An Analysis of Learning Trials and Achievement
American Alliance for Health, Physical Education, Recreation and Dance, Southwest District, Albuquerque, NM.
- Buck, M., & Harrison, J. M. (1990, January). A new research technique for evaluating student achievement.
National Association of Physical Education in Higher Education, San Diego, CA.
- Buck, M., & Harrison, J. M. (1989, October). An analysis of learning trials and their relationship to achievement in volleyball.
R. Tait McKenzie Pedagogy Symposium, Knoxville, TN.

GRANTS FUNDED

- Lilly II Departmental Retention Initiatives Grant (2004)
Development of a School-Wide Advising Center in the School of Physical Education (with Tony Mahon) Funded \$12,500.
- Lilly II Departmental Retention Initiatives Grant (2003)
Genesis of a Professional Funded \$11,400. (with Tony Mahon) Grant was for 18 months and concluded December 31, 2004.
- Summer Advising Project. (2002). Funded \$2500
Lilly II Grant
- Summer Assessment Grant. (2002). Funded \$4800
Office of Academic Assessment and Institutional Research
- Summer School Marketing Grant. (2002). Funded \$1000
School of Continuing Education and Public Service (with Valerie Wayda)
- Developing a Standardized Assessment Tool for Middle School Physical Education. Funded \$66,626
Indiana Department of Education (2001) (with Jacalyn Lund)
- Training School of Physical Education Undergraduate Advisors. Funded \$11,600
Retention Programs for Faculty Advising, Lilly Endowment, Inc. (2001) (with Dave Pearson)

- Coaching Education: Making it a Viable Option. Funded \$10,000
George and Frances Ball Fund (2001) (with Valerie Wayda)
- Faculty Development to Implement Computer Competency Plan. Funded \$4,500
21st Century Fund for Faculty Development (2000)
- Faculty and Study Exchanges with University College Worcester. Funded \$3,500
International Programs Endowment Fund (2000) (with Rebecca Woodard)
- Space Shuttle Adventure Video. Funded \$4000
Indiana Space Consortium (NASA) (1999) (with Jerre McManama)
- Development of a Space Shuttle Adventure Interdisciplinary Unit. Funded \$24,084
Indiana Space Consortium (NASA) (1998) (with Jerre McManama)
- Development of a Space Shuttle Adventure Interdisciplinary Unit. Funded \$24,454
Indiana Space Consortium (NASA) (1997) (with Jerre McManama)
- Faculty Development Project to Increase Technology Use by School of Physical Education
Faculty. Funded \$4000
21st Century Fund, Ball State University Faculty Development Grant (1997)
- 1997 US Games Beyond Innovations. Funded \$4517.12
US Games, Inc. (1997) (with Jerre McManama)
- POLAR Technology Training Project. Funded \$3145
POLAR Electro, Inc. (1997-1999) (with Arlene Ignico)
- The Wellness Profile. Funded \$995
MicroFit Inc. (1997)
- Beyond Innovations: Creating Interdisciplinary Units of Instruction. Funded \$2,100
US Games, Inc. (1994) (with Jerre McManama)
- 1994 POLAR Technology Training Project. Funded \$30,512
POLAR CIC, Inc. (1994) (with Arlene Ignico)
- Computer Competency. Funded \$1279.
College of Applied Sciences and Technology, Ball State University, Muncie, IN (1993)
- A Survey of Computer Usage of Indiana Public School Physical Education Teachers. Funded \$700
Indiana Association for Health, Physical Education, Recreation and Dance (1992) (with Nikki Assmann)

Computer Competency. Funded \$395

College of Applied Sciences and Technology, Ball State University, Muncie, IN (1991)

An Analysis of Two Instructional Methods and Their Effects on the Number and Quality of Learning Trials and Achievement in Volleyball. Funded \$1037

Office of Research and Sponsored Programs, New Faculty Grant Competition. Ball State University, Muncie, IN. (1990)

CONSULTING

Curriculum Development

Huntington North High School

Huntington, IN

2001

Using Heart Rate Monitors

Taylor Middle School

Kokomo, IN

2001

Fitness Program and Assessments

Pierre Moran Middle School

Elkhart, IN

2000-2001

Physical Education Curriculum Development

Liberty-Perry School Corporation

Selma, IN

1998

Conducted Technology in Physical Education Inservice Meetings for Catholic schools

South Bend and Ft. Wayne, IN

1998

Wellness theme curriculum development

Selma Middle School,

Selma, IN

1996-1997

Performance based assessment (PBA) Planning

Richmond High School,

Richmond, IN

1997

Penn High School, Block Scheduling and Technology in Curriculum Development
Mishawaka, IN
1996

Physical education program evaluation and curriculum development
Arsenal Tech High School
Indianapolis, IN
1994 - 1997

Physical education program evaluation and curriculum development
Lake City High School
St. Johns, IN
May 1995 - 1996

Wellness theme project
Union School Corporation, Modoc, IN
August 1993 - May 1996

Physical education program evaluation and curriculum development
Twin Lakes School Corporation, Monticello, IN
May 1992 - 1993

Use of WordPerfect for Newspaper Lay-outs
Frankfort Senior High School, Frankfort, IN.
September, 1991

BALL STATE
UNIVERSITY

COLLEGE OF APPLIED SCIENCES AND TECHNOLOGY

Muncie, Indiana 47306-0245
Phone: 765-285-5818
Fax: 765-285-1071

March 31, 2006

Ronald E. Gluck
Attorney at Law
Breakstone, White-Lief & Gluck, P. C.
Two Center Plaza
Suite 530
Boston, MA 02108-1906

RE: = Yukio Kusada

Dear Mr. Gluck:

At your request, I have reviewed discovery information to perform an objective assessment of the standard of care and deviation, if any, from the standard of care in connection with the athletic department at Northfield Mount Herman School and, specifically, Frank Millard and Michael Atkins in connection with the skiing incident involving Yukio Kusada on February 20, 2004 at Berkshire East.

In connection with my assignment, I have reviewed deposition transcripts of the following individuals:

1. Frank Millard
2. Michael Atkins
3. Richard Eisenberg
4. Audra Forstrum
5. Susan Clough
6. Yuki Hasaegawa
7. Yukio Kusada
8. John Herrick

In addition, I have reviewed documents from Northfield Mount Herman School from students who participated in the physical education course known as the recreational ski program at Northfield Mount Herman School in the year 2003 - 2004.

FACTS

During his senior year at Northfield Mount Herman School, Yukio Kusada registered for the physical education course known as the Recreational Ski Program. He informed the school that he was a beginner skier and desired to take ski lessons. Northfield Mount Herman School recommended that students participating in the physical education class wear a helmet, but did not require that they do so. Northfield Mount Herman School notified the students that they were to obtain ski equipment, including skis, poles and boots, on their own. Mr. Kusada borrowed his skis from a student, Samuel Wilson. They were Atomic SX11 skis, which I understand are designed for an advanced skier. Prior to taking part in the 2003 - 2004 ski course at Northfield Mount Herman School, Yukio Kusada had never skied. No one from the administration of Northfield Mount Herman School was aware of what kind of skis and equipment Yukio Kusada was using throughout the ski course. Prior to the evening of February 20, 2004, no one from the administration and/or the athletic department at Northfield Mount Herman School knew whether or not Yukio Kusada used a helmet while participating in the ski course. On or before February 20, 2004, Yukio Kusada received no instruction on skiing from any representative, faculty member or administrative individual at Northfield Mount Herman School. Yukio Kusada received no ski lessons at Berkshire East on or before February 20, 2004.

Michael Atkins was the coordinator of the ski course, and Frank Millard was his supervisor in 2003 and 2004. Mr. Atkins had daily responsibility for the skiing program. Mr. Millard had secured the contract with Berkshire East and had been involved with the program for many years. Mr. Atkins and Mr. Millard stated no instruction was provided by the school and was not necessary because this was a recreational ski program. Neither provided active supervision at the program site, Berkshire East.

The chaperones, Richard Eisenberg, Audra Forstrum, and Susan Clough, were assigned to chaperone the ski program for which students received course credit. None of the chaperones were provided any ski training as supervisors, nor were any of them trained as physical educators. I am not aware if any of them received formal training as coaches within their degree programs or by other means. They were told that the duties of a chaperone included taking

attendance while boarding the buses at the school and when returning from the mountain; controlling behavior on the bus; maintaining one chaperone in the lodge at all times so that students did not take too long a break; watching to make sure rules were observed; and driving injured students to the hospital as indicated by the staff at Berkshire East.

As stated earlier, helmets were recommended, but not required to be worn by students. The reason provided for not requiring helmets was that the requirement could not be enforced.

Skiing instruction was expected to be provided for students who requested it, but for some reason it did not occur for this group. Ms. Forstrum, the head chaperone, did not know why lessons were unavailable. She did not report any problem with the lesson unavailability to any of her supervisors of the ski program. Neither Mr. Millard nor Mr. Atkins inquired of the chaperones if lessons were taking place or how they were progressing.

On February 20, 2004 Mr. Kusada had been skiing with a student, Yuki Hasegawa and went down an intermediate trail in contrast to his beginner level of ability. When Mr. Hasegawa did not see him at the end of the run, the friend provided this information to one of the chaperones who dismissed the information, indicating that this type of information was provided all the time. It was determined when buses were loading to go back to the school at approximately 9:45 p.m. that Mr. Kusada was missing. It is my understanding that Mr. Kusada was found near a tree in an unconscious state at approximately 4:00 a.m.

STANDARD OF CARE

The standard of care for physical education teachers requires the individuals to provide effective supervision, appropriate and well-conducted activities and safe and appropriate environmental conditions. Supervision is defined as the quality and quantity of control exerted by teachers or coaches over the individuals for whom they are responsible. The supervisors must be trained and demonstrate the skills necessary to fulfill the duties assigned. The amount of supervision required depends upon the participant's age and skill level, the activity, the risk associated with the activity and their ability to understand and appreciate the risks and consequences of their own actions. These risks must be explained to the student who must demonstrate knowledge of the risks before engaging in the activity.

Supervision guidelines require the supervisors to move about the area to maximize contact with the participants and to keep the activities within the ability level of the individual students. It is not required that students be insight at all times. The activity, capacity and experience of the student and the number of participants in the class dictate the level of supervision required. With each of these guidelines, staff training is critical for the supervisors to have the appropriate supervisory skills.

Students should expect that every effort has been made to provide a safe environment. This includes the requiring of safety equipment as indicated by the activity in which the student is participating. It also includes the school providing appropriate and safe equipment for the level of ability that the student possesses in the particular event. The age, skill, experience and level of play will play a role in determining the level of risk and the type and amount of safety equipment needed. Failure to use protective measures within a program of instructional competition would constitute a violation of proper professional procedure.

Teachers are to select activities that are reasonable for the ability levels of the individuals involved. In addition to selecting appropriate activities, the teacher is expected to provide instruction that is both accurate in its detail and is presented in a manner that maximizes the likelihood of the participant's success. This instruction should include not only information regarding the techniques for successful performance, but warnings regarding any potentially hazardous element of the activity and specific guidelines for minimizing these risks.

To be effective, instruction must be augmented by accurate and detailed feedback. The simple act of telling a person how to perform a particular skill in no way guarantees success.

In the area of environmental conditions, the student must be provided with equipment equal to the individual's skill level. Equipment requiring a skill level beyond that of the individual in question would be a violation of the above-stated standard.

In summary, the standard of care for a physical education program at a school requires that the activities to be selected are at a level appropriate to the student's skill level. In addition, instruction with feedback and continuous evaluation should be provided, the amount determined by the skill level of the individual. Further, the equipment should be appropriate to the skill level of the individual who is using it, and protective equipment should be required whenever available, especially in situations of increased risk of injury. In

addition, supervision should be provided by individuals who have been trained to perform the specific supervisory role and who have received ongoing staff development. Individuals should not be allowed to participate in an activity at a level at which the individual has not demonstrated the ability to safely perform the activity. This requires demonstration of competency by the student to individuals with expertise in instruction and supervision in the activity in question.

OPINION

It is my opinion with a reasonable degree of educational expertise and scientific certainty that the following deviations from the standard of care occurred in this matter:

1. Inadequate supervisory training for the chaperones;
2. Inadequate supervision of the students;
3. Inadequate instruction, feedback and continuous evaluation of performance of the students; and
4. Inadequate creation of and implementation of rules requiring use of appropriate safety equipment.

Skiing is a sport in which the risk of injury is very real. To minimize the risk of injury, within the context of a physical education class, instruction is mandatory. Asking the students to self-report skiing ability is an appropriate beginning to determine ability level of all students. After that, a skill assessment should have been completed by individuals competent to make this determination. Those individuals determined to need instruction to begin skiing should have been required to receive instruction prior to ever beginning any skiing. It should have begun on the first day and continued throughout the program to check on progress. This would have met the standard for feedback and evaluation of performance. Another aspect of instruction that should have occurred was to provide each student with a list of safety rules and expectations of the orientation session and they should have been reminded often of those rules. Mr. Millard stated that it was the students' responsibility to get a lesson if they wanted one. The standard of care required teachers to be sure that it was provided. Through instruction, students will be taught proper terrain selection so that they are informed of the risks of skiing on terrain which is beyond their ability. Students would be taught how to properly stop and turn on their equipment. Students would be taught about the importance of using

skis which are appropriate for their level of ability. Students would be taught that if they were having trouble with their equipment that they should seek assistance from a supervisor or mountain staff. Failure to provide instruction is a deviation from the standard of care for physical education programs in general and specifically for the physical education course in which Mr. Kusada was enrolled, which was administered by Michael Atkins and Frank Millard. Deposition testimony revealed that instruction was required in all of the other physical education courses offered by Northfield Mount Herman School in 2003 and 2004. The only exception to this rule was the ski course.

Northfield Mount Herman School, Frank Millard and Michael Atkins also deviated from the standard of care of requiring appropriate safety equipment. Specifically, no one provided any guidance to Mr. Kusada about what skis he should use or not use when taking part in the ski course. It is well known in the ski industry, that equipment is specifically designed for various levels of ability. The standard of care required that Mr. Kusada receive guidance on the selection of the skis and that the physical education instructors and/or supervisors be aware of the equipment that he was using to minimize the risk of injury.

Further, the standard of care required that Mr. Kusada be required to wear a helmet. Due to the risk of head injury in skiing helmets were available at the time of this incident which were intended to minimize the risk of head injury. In the context of a physical education program at a school the standard of care required that the students be taught about helmet use and that they be required to use helmets to minimize the risk of injury. The explanation given for not requiring a helmet was that this requirement could not be enforced. There are measures available to enforce rules such as this. As an example, a rule could have been implemented stating that if a student was found on the mountain without a helmet, they would be removed from the ski class that day, and for a second violation they would be expelled from the class for which they were receiving credit. This type of deterrent is effective in physical education programs. Supervisors and chaperones should be on the mountain, skiing and/or stationed at the top or bottom of the lift to make sure that students were wearing helmets and to make sure that they were not having difficulties while on the mountain. These methods should have been employed to ensure student compliance with rules concerning helmet use. If three chaperones were an inadequate amount to supervise the number of students skiing, then additional chaperones should have been employed to make supervision effective.

The physical education program at Northfield Mount Herman School and Frank Millard and Michael Atkins also deviated from the standard of care requiring appropriate supervisory training for the chaperones. Mr. Eisenberg, Ms. Forstrum and Ms. Clough received no training in actual ski instruction, in

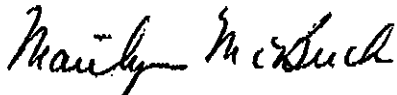
terrain selection, in equipment selection or in any other aspect of ski safety awareness that would have made them appropriate candidates for being a chaperone. None of the chaperones conveyed any information to Yukio Kudada in the nature of ski instruction, terrain selection, or equipment selection.

Mr. Millard and Mr. Atkins failed to instruct the chaperones that if a student was reported missing, they were to report that fact promptly to the appropriate personnel at the mountain. In this case, the information was reported to Ms. Forstrum by Yuki Hasaegawa, and she did not report this information to the officials at the mountain for approximately 2 hours when the buses were about to leave for the school. This was a violation of the standard of care in the physical education setting. Mr. Atkins and Mr. Millard provided no guidance or rules for the chaperones to follow in the event that this type of situation materialized.

Mr. Millard and Mr. Atkins also failed to give instruction to the chaperones about exactly what information they were to obtain from any student who reported a student to be missing. In this case, the standard of care required that Ms. Forstrum obtain all material information concerning Mr. Kusada's last known whereabouts, the type of clothing he was wearing, and the time that he was last seen and that she provide this information to the authorities at Berkshire East.

Procedures to provide appropriate supervision for a skiing activity were not in place, which should have included a buddy system and a faster response to a missing student who might have been injured.

These opinions are made with a reasonable degree of educational and scientific certainty.



Marilyn M. Buck, Ed.D.
Professor of Physical Education
Associate Dean
College of Applied Sciences and Technology
Ball State University
Muncie, IN 47306